

This order is SIGNED.

Dated: November 7, 2018


KEVIN R. ANDERSON
U.S. Bankruptcy Judge



**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

In re:

SUGARLOAF HOLDINGS, LLC,

Debtor,

Case No. 18-bk-27705

Chapter 11

Judge Kevin R. Anderson

**INTERIM ORDER GRANTING MOTION TO USE CASH
COLLATERAL**

This matter having come before the Court on the “Debtor’s Motion for Interim and Final Orders Under [11 U.S.C. § 363](#) Authorizing Use of Cash Collateral” (the “**Motion**”) filed by Sugarloaf Holdings, LLC (the “**Debtor**”); and Debtor having filed the Declaration of David J. Gray in Support of the Debtor’s Chapter 11 Petition and Requests for First-Day Relief;

The Motion having come before the Court for a preliminary hearing on interim use of cash collateral on October 18, 2018 at 1:30 p.m.; and

Brian M. Rothschild and Michael Brown having appeared on behalf of the Debtor; Gerald Suniville and David Billings having appeared on behalf of the Bank of the West; Matthew Cox and Dani Cepernich appearing on behalf of parties in interest; and John Morgan having appeared on behalf of the Office of the U.S. Trustee; and

For the reasons stated on the record and good cause appearing, it is ORDERED that

1. The Motion is granted to the limited extent specified in this Interim Order Authorizing Use of Cash Collateral (the “**Order**”).

2. The Court will hold a hearing on relief requested in the Debtor’s Motion on a final basis on November 20, 2018 at 10:00 a.m. (Prevailing Utah Time) (the “**Final Hearing**”) at the United States Bankruptcy Court, Judge Kevin R. Anderson, U.S. Courthouse, 350 South Main Street, Courtroom 376, Salt Lake City, Utah 84101.

3. The Debtor is authorized to use Cash Collateral in the amount of \$170,500 for the period between October 15, 2018 (the “**Petition Date**”) through and including November 20, 2018.

4. Bank of the West shall endorse the check(s) in the Debtor’s possession for the sale of cattle (the “**Cattle Proceeds**”) and execute all necessary documents to allow the Cattle Proceeds to be deposited into the debtor-in-possession account.

5. Any amount above and beyond \$170,500 will remain in the debtor-in-possession account until the Final Hearing.

6. Bank of the West is granted a lien on crops planted using the Cash Collateral described in this order.

7. This order is effective as of the date of the hearing.

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DESIGNATION OF PARTIES TO RECEIVE NOTICE

Service of the foregoing **INTERIM ORDER GRANTING MOTION TO USE CASH COLLATERAL** shall be served to the parties and in the manner designated below:

By ECF with the Clerk of the Bankruptcy Court, which will send notice to:

- David P. Billings dbillings@fabianvancott.com, jwinger@fabianvancott.com;mdewitt@fabianvancott.com
- Michael Ronald Brown mbrown@parsonsbehle.com
- P. Matthew Cox bankruptcy_pmc@scmlaw.com
- John T. Morgan tr john.t.morgan@usdoj.gov, James.Gee@usdoj.gov;Lindsey.Huston@usdoj.gov;Suzanne.Verhaal@usdoj.gov
- Grace S. Pusavat gpusavat@parsonsbehle.com
- Brian M. Rothschild brothschild@parsonsbehle.com, ecf@parsonsbehle.com
- Gerald H. Suniville gsuniville@fabianvancott.com, nnelson@fabianvancott.com
- United States Trustee USTPRegion19.SK.ECF@usdoj.gov

Dated this 19th day of October, 2018.

PARSONS BEHLE & LATIMER

By: /s/ Michael R. Brown

Michael R. Brown
Attorneys for Sugarloaf Holdings, LLC